



2851

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/031,659
		Filing Date	November 13, 2001
		First Named Inventor	Tao et al.
		Art Unit	2851
		Examiner Name	Alan A. Mathews
Total Number of Pages in This Submission	1	Attorney Docket Number	29171/36823A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input checked="" type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Interview Summary Record</b>
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MARSHALL, GERSTEIN & BORUN LLP Carl E. Moore, Jr. - Reg. No. 26,487
Signature	
Date	April 22, 2004

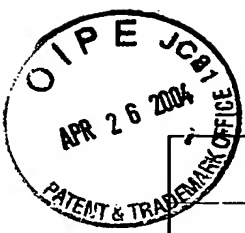
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 22, 2004

Signature: (Carl E. Moore, Jr.)

2851

Small



AMENDMENT TRANSMITTAL LETTER

Docket No.  
29171/36823A

Application No.  
10/031,659-Conf. #6307

Filing Date  
November 13, 2001

Examiner  
Alan A. Mathews

Art Unit  
2851

Applicant(s): Nongjian Tao et al.

Invention: SURFACE PLASMON RESONANCE DETECTION  
WITH HIGH ANGULAR RESOLUTION AND FAST RESPONSE TIME

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	37	- 37 =	0	x 0.00	0.00
Independent Claims	3	- 3 =	0	x 0.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

- ☐ Large Entity ☒ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 13-2855  
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

CEM  
Carl E. Moore, Jr.  
Attorney Reg. No.: 26,487  
  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357  
(312) 474-6624

Dated: April 22, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 22, 2004

Signature: CEM (Carl E. Moore, Jr.)



PATENT  
29171/36823A

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

In re Application of:

TAO et al.

Serial No.: 10/031,659

Filed: November 13, 2001

Title: SURFACE PLASMON  
RESONANCE DETECTION WITH  
HIGH ANGULAR RESOLUTION AND  
FAST RESPONSE TIME

Group Art Unit: 2851

Examiner: Alan A. Mathews

) I hereby certify that this paper is being  
) deposited with the U.S. Postal Service as  
) First Class Mail in an envelope, postage  
) prepaid, addressed to the Commissioner  
) for Patents, P.O. Box 1450, Alexandria,  
) Virginia 22313-1450 on this date:

) **April 22, 2004**

) 

) Carl E. Moore, Jr.  
) Registration No. 26,487  
) Attorney for Applicants

INTERVIEW SUMMARY RECORD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On March 31, 2004, having ascertained that Examiner David Esplin was no longer with the U.S.P.T.O., Applicants' attorney, Carl E. Moore, Jr., conducted a telephonic interview with Examiner Alan A. Mathews. Newly proposed claims 40 and 41 were faxed to the Examiner and discussed. Proposed claim 40 combined the subject matter in original claims 1 and 4. Proposed claim 41 combined the subject matter in original claims 18 and 22. Applicants asserted that neither the prior art of Naya (U.S. Patent No. 5,875,032) nor Hoppe et al. (U.S. Patent No. 6,570,657) discloses positioning a photo-detector such that its differential signal is near zero and then detecting changes in the intensity distribution


corresponding to plasmon resonance angular shift. Applicants further asserted that neither Naya nor Hoppe discloses amplifying the differential signal, as recited by the proposed claims 40 and 41.

Examiner Mathews neither agreed nor disagreed with the proposed claims.

It was agreed that Applicants would set forth the arguments that were discussed with the proposed amendments in their written response to the Final Office Action of January 28, 2004.

Respectfully submitted,  
MARSHALL, GERSTEIN & BORUN LLP  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
(312) 474-6300

By:

  
\_\_\_\_\_  
Carl E. Moore, Jr.  
Registration No.: 26,487  
Attorney for Applicants